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ABSTRACT

This journal issue highlights examples of state and local child care advocacy strategies that have resulted in positive legislative change or increased funding for low-income child care. Legal constraints on lobbying by nonprofit or public agencies due to limitations imposed by the U.S. Internal Revenue Service and public and private funding requirements, and suggestions for building community support, accessing funds for advocacy campaigns, and fostering media and legislative interest in child care, are provided. The issue profiles successful advocacy efforts conducted by: (1) the Greater Minneapolis Day Care Association (Minnesota); (2) the Montana Low-Income Coalition; (3) the Rhode Island Department of Human Services; (4) Pennsylvania Association of Child Care Agencies; (5) the Justice, Economic Dignity, and Independence for Women (JEDI Women) group in Utah; (6) the Center on Budget and Policy Priorities in Washington, D.C.; (7) Coleman Advocates for Children and Youth in San Francisco (California); (8) the North Carolina Partnership for Children; and (9) Central Pennsylvania Legal Services. The issue also features a discussion with Congresswoman Nancy Pelosi of California about her views on child care and her suggestions for approaching legislators. (MDM)

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Working For Change

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Issue topic

Child Care Advocacy: *Making a Difference*

Massive program cuts, elimination of entitlements, diminished federal commitment to poor children—these proposals and other recent political developments have left many people working in the social services field feeling demoralized and powerless. This issue of *Working For Change* is intended to provide some much needed inspiration and empowerment to beleaguered children's advocates. **Advocacy**—be it concerted group efforts on prominent public policy issues, or efforts on behalf of an individual client—can make an enormous difference in the lives of children and families. So don't give up the fight. Now more than ever, America's children need your strong and committed voice!

In the midst of so many imminent changes, this is a time of both tremendous pressure and opportunity to make structural reforms in the administration of child care subsidies at the state and local levels. Advocates, whether parents, child care or other service providers, legal services attorneys, or professional lobbyists, must play an integral role in the process to ensure that the real needs of low-income children and their families are not neglected amidst the political rhetoric.

"Child Care Advocacy: Making a Difference" highlights examples of state and local advocacy strategies that have resulted in positive

"As state and federal legislatures consider bill after bill that jeopardizes your program and your communities' families, you can't afford not to get involved in advocating for family-friendly public policies."

SHELLEY PECK, KATHY GOETZ "RAISE YOUR LEGISLATOR'S ANTENNA" (FAMILY RESOURCE COALITION, CHICAGO, IL 1995)

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legislative change or increased funding for child care. It discusses the legal constraints on lobbying due to limitations imposed by the Internal Revenue Service and public and private funding requirements, and provides suggestions for building community support, accessing funds for advocacy campaigns, and fostering media and legislative interest in child care. It also features a discussion with Congresswoman Nancy Pelosi of California about her views on child care and her suggestions for approaching legislators.

Effective advocacy in the early stages of state and local reexamination of the child care system can help to ensure that you and your priorities will be an integral part of the planning process in your state. Thus, as you focus your energy towards planning for probable block granted child care funding with fewer federal regulatory constraints, it is important to take the following steps:

- Keep abreast of ideas and proposals that are currently being floated in your state and make sure that your concerns are considered along with them.
- Educate yourself about how your state has implemented various federal block grants in the past.
- Begin to develop links between child care and legal services to identify priority areas and identify laws that would have to be changed and those that should be retained.
- Consider the roles that the legislature and the executive branch will and should play in the process of change.
- Consider the consequences of the very real possibility that no new state program will be adopted by the effective date of federal legislation.

IDEAS FOR SIMPLE AND NOT SO SIMPLE ADVOCACY STRATEGIES

1. Attend a meeting of a group that is already working on the issues that concern you. Whether you are interested as an individual or as an organization, there are probably a number of groups that are working on issues related to yours with whom you can share ideas and strategies.

2. Establish or join a coalition of interested individuals and organizations. It is likely that you have common interests or goals. Try contacting local Junior Leagues, Grandparents' and Senior Citizens' groups, Leagues of Women Voters, and legal services programs. For instance, the Start Healthy, Stay Healthy project in New Jersey, designed to enroll low-income children in Medicaid, involves a collaboration between Head Start and Medicaid. Prior to this project, neither group had realized the extent of their mutual goals.

3. Request that legislators or their staff meet with you and your organization to discuss some of your concerns about their policies, or to reinforce your support for their position. Offer examples of how important programs help young children and why they are worth saving. Follow up the meeting with a note thanking the member for supporting, or at least listening to, your position.

4. Write a letter to your local or state legislator. It has been said that 15 letters will get the attention of a state legislator. The key is to get letters from parents, child care providers, and even children, describing how legislative changes and/or funding cutbacks will affect them. It is important to communicate while legislation is being drafted, when it is considered in committee, and during the debate and voting process on the floor.

5. Personalize your issue. Often funding cuts will mean the loss of jobs for important people. Parents and providers should write letters about the significance of a particular person in their lives, and how the loss of that person's services will affect them. Legislators should be able to picture the impact of a particular program on a family or community that will be affected.

6. Invite legislators to visit your programs or families. Spending time with constituents will help to educate legislators about what you do, and how important certain programs are for families and child care services. It will also give them an opportunity to attract media attention and publicly express their support for children.

7. Organize an event to tell your story to a wider audience. Organizing an event, such as a doll campaign, or a walk in a child care provider's or working mother's footsteps can also attract the media. Or conduct a survey of parents on a waiting list for subsidized child care and stage a press conference to release the results.

8. Write an op-ed piece or a letter to the editor for your local newspaper. Get parents, business leaders, funders, and other community supporters to do the same.

EXAMPLES OF SUCCESSFUL ADVOCACY STRATEGIES

This section highlights creative and, most importantly, successful advocacy efforts from recent years that can be replicated in your state or community. Each of these examples has resulted in legislative change, increased funding, and/or broadened support for an important program. While not all of these strategies pertain specifically to child care, they can be used as a model for child care advocacy. It is important to remember also that child care is not an isolated service. Without other, related family supports in place, the needs of many poor families cannot be met simply by increased child care assistance.

MINNEAPOLIS: REAL LIFE STORIES CAN CREATE REAL MONEY FOR CHILD CARE

In January, 1995, the Greater Minneapolis Day Care Association (GMDCA), a resource and referral agency in Minnesota, published a study called *Valuing Families: The High Cost of Waiting for Child Care*. The study was distributed to advocates and legislators throughout the state. At the end of the legislative session, the Legislature had approved a $16,225,000 increase in child care funds for the working poor, representing an 86 percent increase in the state's contribution to Minnesota's child care subsidy program for 1996 and 1997.

Low-income families who are not eligible for AFDC-linked child care often wait one to two years to receive child care subsidies in Minnesota. Recognizing that many families who work and receive low or inconsistent wages with few benefits cannot shoulder the cost of quality child care, GMDCA undertook a study of 434 families in Hennepin County to determine how they survived while waiting for "Sliding Fee" child care. The dramatic results had an impact on legislators, but come as no surprise to child care advocates. Twenty-four percent of families surveyed turned to AFDC and 47 percent

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relied on food stamps and or Medicaid while waiting for child care assistance. Almost three-fourths of families experienced significant levels of debt or filed for bankruptcy. One-third of parents on the waiting list were dissatisfied with their current child care arrangements, citing the providers as neglectful, inconvenient, or unreliable.

The study, which was published with photographs, charts, and profiles of four families, was distributed to federal and state legislators and business leaders in the community. Building on the widespread attention being paid to welfare reform, the study contributed to a growing awareness that child care assistance is crucial to low-income families' ability to leave or avoid dependence on public assistance. Dissemination of the study was accompanied by grassroots advocacy and lobbying, linking child care with successful welfare reform.

The Governor, who last year vetoed an $8 million increase in working poor child care, included a significant increase in funds for his FY 1996 budget. The increase won bi-partisan support in the Legislature. The Sliding Fee program will now be able to serve approximately 1,300 additional families in 1996 and 950 more in 1997. The Legislature also approved an increase in funds for resource and referral agencies, cultural dynamics training for providers, migrant child care, and expanded AFDC-linked child care. Child care was the only area in the state budget that received increased funding!

FOR MORE INFORMATION, CONTACT:

Connie Bell, Executive Director
The Greater Minneapolis Day Care Association
1628 Elliot Avenue South
Minneapolis, MN 55404
Tel (612) 341-1177 / Fax (612) 341-4356

LESSONS FROM MINNEAPOLIS

- Legislators need to hear from and about their constituents. Real-life stories bring home the devastating impact cuts can have on children and their parents.
- Education about the impact of program cuts on supply, quality and access to child care is important also. Most policymakers care about children's health and safety and may not realize that set-aside funds can help protect children in many ways.

MONTANA: GRASSROOTS ADVOCACY MAINTAINS AFDC BENEFIT LEVELS

After spending a day with welfare recipients, Montana's Governor Marc Racicot was convinced not to cut AFDC benefits in the 1996 state budget. Spending time with welfare mothers and their families helped him realize that these families have "no margin of error" in their budgets and that cutting AFDC below current benefit levels would cause serious harm to families and children.

Governor Racicot agreed to attend the Montana Low-Income Coalition's annual Board meeting, at which the Coalition would respond to the Governor's welfare reform proposal. At the meeting, Board members invited the Governor to spend a day with several welfare recipients and their families. He agreed for several reasons,

according to Kosow (Kay) Fox, Executive Director of the Coalition. The offer was presented as an opportunity for him to be a symbol of compassion. The Governor thus did not perceive the offer as a challenge, and did not react defensively. Significantly, one of the Coalition's Board members is a personal friend of the Governor's, and helped convince him that this was a valuable opportunity to be a leader who could raise awareness about an important issue. The Governor's personal values played no small role—he is known as a kind, Christian person who truly cares about humanity.

Coached on how to dress, the Governor arrived at the home of an AFDC family on a Saturday morning, attired in jeans and a baseball hat. Upon proclaiming his aptitude for budgeting, he sat down with the head of the household and her monthly bills and receipts. After a frustrating attempt to creatively stretch her limited funds, he declared that her budget had absolutely no leeway. On a trip to the grocery store with this mother and her children, her car broke down and they had to walk to and from the store, carrying the groceries. The Governor also had the opportunity to purchase groceries with food stamps, unrecognized by the clerk, and experience the humiliating glances that many food stamp users typically receive.

Later in the day, the Governor met with several women who were participating in a career training support group and talked about the barriers they face in trying to work, including the need for a reliable vehicle. (After the morning's grocery store experience, he probably had a good idea of what they were talking about!) He also hunted for low-income housing for an AFDC family and realized first-hand that there is a severe shortage of affordable housing. At a press conference later on at a food bank, the Governor declared that the families he had met had "no margin for error" in their lives. The success of the event was most strongly illustrated the following weekend when, unaccompanied by the press, the Governor brought groceries and clothing to a family he had visited the previous week.

Meanwhile, back at the Capitol, the Legislature had proposed a large cut in AFDC benefits for the 1996 budget, most likely assuming that the Governor would support it as he had done in years past. Once the cuts were proposed, the Coalition maintained a 48 hour vigil in the Capitol Rotunda to protest the cuts. Staging a sit-in on the first afternoon, the protesters anticipated being removed at night when the Capitol closed. To their surprise, the Governor allowed them to stay overnight, bringing in security and visiting them for one hour the first night, and fifteen minutes the second night. He spoke movingly about how the families he had

LESSONS FROM MONTANA

- This strategy is worth replicating. It can provide a valuable opportunity to generate attention and support for your cause.
- Find someone with personal contacts to your target policymaker to present your invitation.
- Set a climate for being allies. If the opportunity is presented as a challenge, the person may become defensive and resist participating.
- Create a non-threatening situation for the participant. Keep the interactions informal and personal, with small numbers of participants at one time, to facilitate real discussion.
- Find out in advance how your guest wants to handle media attention. Whether he or she prefers a media blitz or a more understated, authentic experience, each can further your goals in different ways.
- Your guest will be very concerned about negative press, so it is helpful to garner support from diverse groups in advance of your event. Keep the attention positive—praise your guest for participating and for helping to educate the community about your important issues.

visited had impacted him and assured them that he would meet with legislative leadership to restore the proposed cuts in the budget. He promised that, if necessary, he would veto the entire budget if it contained cuts in AFDC and children's mental health programs.

The welfare reform bill that came out of the recent legislative session contains relatively supportive provisions, some of which can be attributed to the Governor's day with AFDC families and aggressive advocacy, according to Kay Fox. AFDC benefits were not cut and all programs now contain a one vehicle exemption for eligibility purposes. The bill also contains significant child care provisions: increased reimbursement rates (up to the 75th percentile of the market rate); increased state funds; and removal of a provision to encourage welfare recipients to work as child care providers.

☛ FOR MORE INFORMATION CONTACT:

Kosow (Kay) Fox, Executive Director
Montana Low-Income Coalition
324 Fuller Street
P.O. Box 1029
Helena, MT 59624
Tel (406) 449-8801 / Fax (406) 443-7283

RHODE ISLAND: WAITING LIST SURVEY MEANS PARENTS WAIT NO LONGER

Staff in the Rhode Island Department of Human Services (DHS) and child care advocates all wondered what happened to families while they waited for their name to come to the top of the list for subsidized child care. In early 1994, staff at the Office of Child Care at DHS prepared a survey and a letter to parents which they sent to the entire waiting list. More than one-third of the families returned the surveys, not only answering the questions about their current work and child care arrangements, but adding commentaries about the quality of care their children receive, their frustration with the lack of support, and their tenuous independence from welfare.

Recognizing the enormous impact of almost 200 heartfelt quotes from parents, DHS staff compiled the survey responses to use as an advocacy instrument. They distributed the survey results internally within DHS and to other state agencies, the Legislature, advocates, and President Clinton. The survey generated a great deal of interest in eliminating the waiting list, both from those concerned with enabling poor parents to work, and those who were concerned about the quality of the unlicensed child care that many parents had indicated they were using. In particular, the survey sparked concern in legislators who had not had previous knowledge about the waiting list.

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LESSONS FROM RHODE ISLAND

- Basic education can go a long way. While advocates see the clear link between child care and independence from welfare, many legislators need and would probably appreciate first-hand information about this important connection.
- Moving personal accounts, especially when repeated, can help highlight the widespread impact of a particular program.

Thus, when the co-chairs of the Legislative Committee on Child Care worked to increase funding for child care, the survey proved a powerful tool for convincing legislators in both parties of its importance.

As a result, the Legislature agreed to appropriate approximately $600,000 as the state match for IV-A At Risk funds to serve the existing waiting list, which had doubled in size to more than 1,000 families. With the appointment of a new Director of DHS, the waiting list was abolished entirely. Based on this significant triumph, the Legislative Committee on Child Care has prioritized education about child care in order to maintain this momentum in the face of welfare reform.

☛ FOR MORE INFORMATION, CONTACT:

Barbara Gianola, Chief
Office of Child Care, Department of Human Services
Division of Community Services
275 Westminster Street
Providence, RI 02903
Tel (401) 277-1337 / Fax (401) 277-1328

☛ FOR A COPY OF SAMPLE SURVEY QUESTIONS, CONTACT:

Nicole Poersch
Children's Defense Fund
25 "E" Street NW
Washington, DC 20001
Tel (202) 628-8787 / Fax (202) 662-3510

PENNSYLVANIA: BIPARTISAN ADVOCACY ENSURES SUPPORT FOR CHILD CARE

According to Joan Benso, Executive Director of the Pennsylvania Association of Child Care Agencies (PACCA), the key to making sure that elected officials pay attention to child care is to reach them before they get elected. In Pennsylvania, education has paid off in large increases in funding for child care. Even with the election of Republican Governor Ridge and a Republican-controlled Legislature, child care for working parents has become a high priority. As a result, the Governor's budget this year included the largest single increase in state funding for subsidized child care for low-income working families in the program's history. In fact, working poor child care received the single highest percentage increase in human services funds in the Department of Public Welfare's (DPW) entire budget. The budget includes a $742,000 cost of living increase and a six month, $5 million allotment to increase the daily enrollment

in subsidized slots by 3,100 children, with authorization to increase the allotment to $10 million annually in FY 96-97.

In the last electoral campaign, child care advocates worked to position child care as a non-partisan issue. Since welfare reform is currently a priority for legislators across the political spectrum, both Republican and Democratic candidates were receptive to understanding child care as "the missing link" between welfare and self-sufficiency. Because of the complexities of the subsidized child care system, it was extremely important to pare down the issues into a few compelling themes.

First, advocates emphasized the link between training and work and child care. Then, they explained how the disjointed administration of subsidies resulted in reduced assistance when families most needed it—when working and still receiving AFDC and when TCC ends—and results in inequities between AFDC recipients and equally low-income working poor families. (The shock to legislators and staff at the irrationality of the system was effective in convincing them that it needed meaningful reform.) Third, they framed child care as an issue that affects not only low-income people, but working families of all income levels.

Many policymakers understood the connection between work and child care because, for many individuals, child care issues have affected their own families—the Governor's wife is a working mother and, while the Governor was a Congressman and spending a good deal of time in Washington, DC, she was often a "single mom." Another high-level official in DPW had trouble finding school-age child care, while yet another purchased child care for two preschool age children. Moreover, these individuals recognize issues of quality and access because of their own personal experiences.

When asked for solutions to the problems with the current system, advocates were able to articulate clear short- and long-term goals. They recommended increased funding to reduce the current waiting list for working poor families, legislative measures to move towards a seamless system of administration, and creation of a statewide resource and referral network. The goal of serving all needy families was presented as a long-term objective, as it would cost over $200 million and require restructuring

LESSONS FROM PENNSYLVANIA

- Developing leadership for support for child care means finding those for whom child care is a personal issue. Target candidates or elected officials who are working mothers, or who have wives or daughters who work, who will be able to see the link between child care and work on a number of different levels—financial, concern about quality and convenience, and the subtle emotional aspects of leaving children with a non-parent caregiver.
- Reach policymakers early—before they even become policymakers. During campaigns, candidates are eager to hear from their constituents, and are eager to be seen and photographed by large numbers of them. By developing alliances with candidates from both parties, you can ensure that your issues will be considered, no matter who wins. You can also bring attention to your issues by creating public events that candidates will attend, particularly if the press attends. (However, if you are a 501(c)(3) tax exempt organization, be sure not to violate the rules against political participation discussed on page 18.)
- Frame your issues in as nonpartisan a way as possible. Carve your message carefully. Your language will be very meaningful. Child care issues affect families of varied economic levels, ages, and structures. While child care is an enormous part of welfare reform, it is also a much broader issue and can win support from diverse perspectives. Think about child care from the perspective of children, parents, employers, and government.

child care administration. Nevertheless, such a goal is consistent with the notion of child care as a universal need, and demonstrates that the short-term goals are manageable and not prohibitively costly.

Advocates accessed candidates by reaching out to their campaigns while they were developing platforms; inviting them to visit child care programs and staging media events. PACCA also organized forums comprised of its members and invited candidates (or their spouses) to promote awareness of child care issues. As a result of their efforts, child care advocates were called in to assist in the transition to the new state administration. While state welfare reform proposals are currently on hold in anticipation of federal changes, aggressive advocacy on the state level has fostered concern by state legislators about probable cuts in federal child care funding. PACCA worked with other children's advocacy groups to hold a briefing on possible federal cutbacks. Significantly, despite the likelihood of federal cuts, the Governor's budget, with its large increase in child care funding, reflects Joan Benso's philosophy that "child care is not only good public policy, it is good politics."

☛ FOR MORE INFORMATION, CONTACT:

Joan Benso, Executive Director
Pennsylvania Association of Child Care Agencies
411 Walnut Street
Harrisburg, PA 17101
Tel (717) 236-0458 · Fax (717) 236-0149

UTAH: JEDI WOMEN, THE ADVOCACY EXPERTS

Justice, Economic Dignity & Independence for Women (JEDI Women), a grassroots organization created by and for low-income mothers, has been successful in a number of its highly creative and well publicized campaigns for housing, child care, and benefits for low-income families. From their "Our Children's Hearts are in Your Hands" Campaign on Valentine's Day, to their Mama Jam on Mother's day, they have succeeded in generating a great deal of statewide and national attention to their efforts. In particular, two strategies have resulted in increased state funds for child care.

In February 1995, JEDI Women released the results of a child care survey they conducted among low-income mothers on and off AFDC. Not surprisingly, the mothers who were most dissatisfied were those who did not receive any assistance with child care payments. Since

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the mothers surveyed indicated that they needed child care in order to work, attend school, or look for work, child care was a critical need. Those who did not receive assistance spent between 25 and 50 percent of their income on child care, or did not work and instead relied on welfare.

As the JEDI Women knew from this survey and another survey conducted at their 1994 Mother's Day event, child care is a pressing issue for poor, single-parent families. The trick was to educate the public and the Legislature about how child care assistance can make the difference between work and welfare. So, JEDI Women and their children went to the Capitol to present their survey results, and paper dolls they had made, to the Legislature. They asked the Legislature to "Do the Right Thing for Utah's Children" by increasing funding for child care programs and raising provider reimbursement rates. Proclaiming the JEDI kids the state's "youngest lobbyists," the event become the lead story on that evening's news. The result—an increase in reimbursement rates to bring the state into compliance with federal law.

Another significant victory occurred last year when the state instituted a waiting list for subsidized child care in early 1994. It was determined that $2.5 million was needed to provide care for those families who would otherwise have to wait for care. JEDI Women began an education and advocacy campaign to inform lawmakers about the serious consequences of waiting for child care assistance. When lawmakers were unresponsive, they attempted to set up a meeting with the Governor, who ignored two letters and several telephone calls. They decided to take the bold step of staging a sit-in at the Governor's office and holding a press conference in which they showcased a large key, stating, "child care is the key to staying off welfare."

By coincidence, a group of schoolchildren were touring the Capitol on the day of the sit-in and, uninvited, joined the group of JEDI Women, bringing the group total to 150! Once the children left, the JEDI women settled into the Governor's office for the night, refusing to leave until the Governor agreed to schedule a meeting with them. At dawn the next day, the media were waiting to see the results of the sit-in, which made the Governor's refusal an inexplicable embarrassment. By morning, the Governor agreed to set up a meeting the following week, praising the JEDI Women for their advocacy skills and joking, "I didn't think of taking my sleeping bag. I should have thought of that."

While the Governor never promised the JEDI Women that he would allocate more money for child care, he did ultimately propose allocating $2.3 million in new funds for child care to the Senate. The sit-in had received a great deal of favorable media attention and, when the Legislative session ended, additional money was appropriated for IV-A At-Risk child care, abolishing the waiting list. At the same time that moms got the funds they needed to keep working, the

LESSONS FROM UTAH

- Be persistent and don't get frustrated if your first efforts do not meet your expectations or if they fail entirely. It takes time and energy to build a reputation and relationships with the media, policymakers, and the community.
- Get to know your supporters. Find out what their priority issues are and see where and how they can directly help in your efforts.

Governor was able to save face, which shows that subtle victories can be just as important as outright ones. It also shows that persistence can eventually lead to success.

FOR MORE INFORMATION, CONTACT:

Deeda Seed, JEDI Women
c/o Crossroads Urban Center
347 South 400 East
Salt Lake City, UT 84111
Tel (801) 364-7765 / Fax (801) 364-7228

WASHINGTON: CHILD CARE CONNECTS CHILDREN TO MEDICAID

The Center on Budget and Policy Priorities, a Washington, DC-based advocacy and policy analysis organization, began the Start Healthy, Stay Healthy campaign in order to identify low-income children who are eligible for Medicaid and WIC, but not enrolled, and to assist families in applying for benefits for their children. Two and one-half million children who are not on welfare, but whose families are low-income, may be eligible for these benefits but are not receiving them. Many families who are eligible for subsidized child care either have no health insurance or coverage that is less comprehensive than Medicaid. The Center is enlisting child care programs around the country to assist in their efforts to reach these families who, in many cases, work and use child care.

LESSONS FROM WASHINGTON

- Advocacy aimed at access to benefits for individual families can be just as important as working to increase funding for those programs.
- A general advocacy idea can be tailored to meet the unique needs of your community and to best utilize your organizational strengths.

The most successful project to date has been in Washington state, where the Center is collaborating with the Children's Alliance, a nonprofit child advocacy organization, and the state resource and referral network to help low-income families access Medicaid. Because families already submit information to the R&R when applying for child care assistance, it required no additional effort to include the necessary information for Medicaid on the application form. Once R&R staff identify a child who is potentially eligible for Medicaid, staff assist the family in filling out the application and informing them about Medicaid benefits.

As with most child care programs, the Washington R&R's "have embraced comprehensive services as a hallmark of quality," according to Donna Cohen Ross of the Center. Thus, they easily recognized the multiple benefits of coordinating Medicaid and child care. Moreover, since parents often are placed on a waiting list for subsidized child care when they apply, they appreciate that R&R staff can help them obtain an immediate benefit.

Cohen Ross attributes much of the success of Start Healthy, Stay Healthy to the R&Rs being able to quantify what they could do to

help eligible children access Medicaid and articulate their ideas to the State. Recognizing the common goal of increasing access to Medicaid, state Medicaid officials agreed to cooperate in the effort by developing a simple one-page application for Medicaid, covering the cost of mailing applications to families, and contracting with the R&R's for their outreach activities.

FOR MORE INFORMATION, CONTACT:

Donna Cohen Ross, Director of Outreach
Center on Budget and Policy Priorities
777 North Capitol Street, NE, Suite 705
Washington, DC 20002
Tel (202) 408-1080 / Fax (202) 408-1056

SAN FRANCISCO: PROPOSITION J PROTECTS CHILDREN IN BUDGET PROCESS

An innovative San Francisco ballot measure in 1991 guaranteed a minimum level of funding for children's services, including child care. Proposition J, known as "The Children's Amendment," passed with the support of a wide range of groups who all shared a common interest—improving services for children and youth. Proposition J established the San Francisco Children's Fund, which maintains funding for children's services at $43.5 million (1991/92 expenditures), and expands services with an annual set-aside of 2.5 percent of property taxes (currently valued at $13 million) until 2001.

Proposed by Coleman Advocates for Children and Youth, a local children's advocacy group, the idea for Proposition J sprang from a lack of legislative support for a "children's budget." Because children cannot vote for their issues, and most of the public places a high priority on children's services, the idea of a ballot initiative was appealing to many organizations and individuals. More than 60 children's and youths' groups, as well as clubs, charities, unions, and diverse advocacy groups supported the initiative. In passing Proposition J, San Francisco became the first city in the country to guarantee funding and planning for children's services.

Three-quarters of the funds are divided equally among expanding child care slots, job training for youth, and health and social services for children. In 1994, almost 4,000 children received child care through Proposition J funds, and more than 21,000 children in total received a variety of job training, health and social services, and delinquency prevention services.

LESSONS FROM SAN FRANCISCO

- There are many ways to achieve an important goal—the legislative route is only one of them.
- The public may be your strongest ally. Work to educate and empower local communities so that they can strengthen support for common goals.

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Opponents have said that earmarking funds limits the flexibility that governments have in developing programs. However, supporters of the Children's Fund say that in this era of increasingly scarce dollars, the only way to ensure stable funding for programs for the non-voting children's constituency is to establish funds that are specifically earmarked for those services.

☛ FOR MORE INFORMATION, CONTACT:

Margaret Brodkin
Coleman Advocates for Children and Youth
2601 Mission Street, Suite 804
San Francisco, CA 94110
Tel (415) 641-4362 / Fax (415) 641-1708

NORTH CAROLINA: SMART START MAKES STRANGE, BUT COMPATIBLE, BEDFELLOWS

In early 1993, child care advocates approached the Governor of North Carolina, Democrat James B. Hunt Jr., with an idea for a comprehensive early childhood program that would be administered locally and meet each community's diversity of needs. The Governor recognized that "All living things need a good beginning . . . A Smart Start," giving a name to the advocates' vision. In later meetings with the Department of Human Resources, they developed concrete proposals for the program they had conceptualized—bringing business and community leaders into public-private partnerships, using flexible policies to allow resources to be used where they are most needed, and articulating rights and responsibilities for both families and communities. The Smart Start legislation passed with the support of churches, child care and education advocates, parents, the business community and elected officials, bringing significant new money to counties and regions that could demonstrate a need and had well-developed proposals to meet the need.

A rural doctor and Smart Start supporter observed, "Halifax County's [Smart Start] team was made up of people who didn't know or necessarily like each other. But we began to focus — together — on how to put Halifax children and families first. These changes took time, a little frustration and a lot of what I like to call 'creative tension.' I know Smart Start will make my poor, rural community a better place to live. I know it can bring tears of joy to our children and families who have been so hurt from years of poverty and neglect that they have no tears left." This perspective can help any advocacy campaign — it is crucial to put aside differences and focus on the ultimate goal of helping young children and their families.

The program is now guided by a nonprofit, nonpartisan organization established by the Legislature called the North Carolina Partnership for Children, which allocates money to counties to administer programs locally. The structure of Smart Start is appealing to a diverse group of supporters. It embodies the Republican goal of local autonomy, not big government. It provides comprehensive services that advocates realize are

so essential to meeting the needs of young, low-income children. It avoids the rigid programming that the public might perceive as government dictating how they should raise their families. It offers the streamlined and efficient type of program that the business community can appreciate. And, it encourages planned parenting, counseling, education, and job possibilities that can strengthen families, which is appealing to the entire community, especially to the strong church groups in the state.

In a recent survey of more than 600 voting adults in North Carolina, more than 80 percent favored the expansion of Smart Start, including more than three-fourths of both Democrats and Republicans, men and women, and blacks and whites. Significantly, expansion of Smart Start ranked third in public support, above cutting state income taxes, and just after limiting welfare for unwed mothers, which indicates that the public recognizes the importance of early childhood programs despite the current political climate.

The most recent legislative session ended almost one month late due to a budget standoff, largely due to debate over Smart Start. Although legislative leaders never seemed to disagree over whether Smart Start should continue, disagreements flourished over expansion and oversight. The final budget agreement for the next two years includes expanding the program from 24 to 32 counties, which will be required to provide some private matching funds; an outside audit requirement and increased oversight by the Partnership for Children; and set-aside funds for planning 12 new programs.

LESSONS FROM NORTH CAROLINA

- Consider the local climate in which you are trying to effect change. Appeal to the priorities of those from whom you are trying to gain support.
- Make efforts to illustrate to legislators, business and community leaders the stake that they have in the outcome of specific programs or child care in general. Explain why their investment is important.

FOR MORE INFORMATION, CONTACT:

Georgette Hedrick, Director of Communications
North Carolina Partnership for Children
1323 Capital Blvd., Suite 102
Raleigh, NC 27603
Tel (919) 821-7999 / Fax (919) 821-8050

HARRISBURG: FORGING LINKS BETWEEN CHILD CARE AND LEGAL SERVICES

The following two examples illustrate how one legal services program has become an effective ally in advocating for a range of important child care issues.

In Harrisburg, Pennsylvania, a successful collaboration between legal services and Head Start sprang from a lawsuit filed in 1987. Responding to numerous complaints that children enrolled in Head Start had not received promised services or had not been served at all, Central Pennsylvania Legal Services in Harrisburg filed a lawsuit which ultimately resulted in the existing Head Start agency being

LESSONS FROM HARRISBURG

- Child care and legal services organizations need to educate one another about the types of services each organization provides and the process for obtaining those services.
- Organize joint trainings and develop materials for future reference, including available resources and contact names.
- Persuade legal services offices to include child care questions on their intake forms; many legal services clients do not self-identify as having child care problems, because they are unaware of the existence of child care entitlements or other subsidy sources.
- Regularly share information about pressing issues; this can be extremely helpful for legal services programs that often do not have access to data and must rely on anecdotal information to determine where widespread problems may exist.

replaced by Early Intervention, Inc., a nonprofit provider serving children with disabilities and their families. The agency activated the Head Start policy council, which consisted of parent and community representatives, including Peter Zurflieh, the legal services attorney who had sued the previous Head Start agency. Parents on the policy council formed a parent advocacy committee which identified and prioritized legal issues affecting their lives.

Through litigation and active community advocacy, the collaboration has been able to obtain services for families, such as JOBS child care, emergency shelter assistance, and access to health care for low-income children. As the parent leadership has become more organized, they have identified welfare-to-work supports as a critical need. Central Pennsylvania Legal Services, under the direction of Zurflieh, now has a retainer agreement with an offshoot of the policy council called "Success Against All Odds," which serves as a JOBS support group. Legal Services works with the group in three main areas: income opportunities, which entails educating parents about the job market, education and training programs, and common obstacles; support systems, including child care, child support, and health care, which involves individual representation and administrative and legislative advocacy; and "helping and healing," which entails encouraging the emotional support group function that the organization has taken on.

In another example, a collaboration between Central Pennsylvania Legal Services and the Pennsylvania Association of Child Care Agencies (PACCA) has uncovered a mutual interest in advocating for seamless child care subsidies. The two groups have teamed up with parent advocates to develop a proposal for revamping the child care subsidy system in Pennsylvania which, thus far, has been met with encouragement by legislators. Armed with legal expertise and an understanding of the problems legal services clients face in accessing child care subsidies, as well as a wealth of background and contacts in child care, this group has been effective in making the issue of child care for low-income families a priority in the Pennsylvania Legislature. Legal services, while an unusual partner in child care advocacy, can provide backup and instruction to parents on effective advocacy. According to Peter Zurflieh of Central Pennsylvania Legal Services, the presence of child care leaders and parents "underscores that child care is not like other issues—it is so important that others have feelings about it too."

FOR MORE INFORMATION, CONTACT:

Peter Zurflieh, Legal Director
Central Pennsylvania Legal Services
213A North Front Street
Harrisburg, PA 17101
Tel (717) 232-0581 / Fax (717) 232-7821

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PARTNERS IN ADVOCACY: CHILD CARE AND LEGAL SERVICES

Although advocacy is often understood to mean lobbying or other legislative policy efforts on behalf of a large group, or class, of people, individual advocacy and policy advocacy through legal channels are also effective tools that should not be overlooked. Forging links between child care and legal services can assist families in obtaining needed comprehensive services and can also serve as an effective use of limited resources.

Legal services agencies exist to provide legal representation to low-income clients on a wide range of issues such as housing, Medicaid, SSI, family law, and public benefits, including child care subsidies. Often, legal services attorneys serve clients on so many issues that their knowledge of the complex and cumbersome child care subsidy system is limited. Without specific training, they may not recognize a client's eligibility for child care, and they may not be aware of the resources that child care organizations can provide. Likewise, child care organizations may not be familiar with legal services processes and areas of concentration. By developing collaborations and fostering understandings between legal services and child care programs, families will gain access to attorneys who are knowledgeable about their child care needs and rights, and child care organizations will have a known resource to refer low-income families for their child care and other legal problems.

Many legal services programs that have not historically focussed on child care issues are becoming increasingly open to working on child care policy issues, and/or to taking on representation of individual clients with child care subsidy problems. As more and more legal services offices expand the scope of their programs beyond individual case advocacy to work on community economic development issues, they are also coming to understand the importance of child care as a critical component of these broader anti-poverty efforts. As most legal services programs themselves will also be severely affected by upcoming budget cuts, they will be reassessing the focus and priorities of their programs and seeking ways to expand the impact of their work with fewer available resources. This presents child care advocates with an important opportunity to forge alliances with legal services programs and to benefit from their legal advocacy expertise and capacities.

LOBBYING BY NONPROFIT ORGANIZATIONS: LEGAL ISSUES

As illustrated in the preceding pages, concerted advocacy efforts geared toward influencing legislators, governors or the general public on legislative matters can be very effective in promoting your organization's public policy goals. However, as child care, welfare rights and other types of nonprofit agencies become increasingly active and sophisticated in legislative advocacy, it is imperative that they become familiar with and abide by the host of legal rules and restrictions that apply to legislative and political advocacy by tax-exempt organizations.

This section *briefly* addresses some of the most commonly asked questions about lobbying and political advocacy by nonprofit organizations. Agencies should not rely solely on the general descriptions provided here, but should seek legal advice pertaining to their own factual situation. For a much more thorough discussion of the legal restrictions on nonprofit advocacy, and lists of legal and other resources to help in complying with these rules, see *Speaking Out for Child Care: A Legal Guide to Advocacy for Child Care Resource and Referral Agencies*, by the Child Care Law Center, published by the National Association of Child Care Resource and Referral Agencies (NACCRRA). For ordering information, contact NACCRRA at (202) 393-5501.

CAN NONPROFIT, TAX-EXEMPT ORGANIZATIONS ENGAGE IN LOBBYING?

YES! Most nonprofits that advocate for children and child care are recognized as tax exempt "public charities" under section 501(c)(3) of the Internal Revenue Code, and qualify to receive tax deductible contributions.[1] Contrary to common belief, these "501(c)(3) organiza-

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tions" may engage in a significant amount of lobbying activity without endangering their tax exempt status, but they must track and report those activities to the IRS and observe certain limits on the amount of lobbying they undertake.[2]

Under the IRS rules, most 501(c)(3) organizations may choose between two different methods of classifying and reporting their lobbying activities. If an organization makes what is known as the "section 501(h) election," its lobbying activities will be measured under the relatively generous "expenditure test." If the organization does not make the section 501(h) election, it will be governed by the more vague and subjective "substantial part" test. As will be described below, most organizations that engage in more than minimal legislative advocacy will benefit from making the 501(h) election.

THE SECTION 501(h) "EXPENDITURE TEST" ELECTION

501(c)(3) organizations may safely engage in fairly extensive lobbying if they make the election under section 501(h)[3], and even the most activist organizations will probably have little difficulty remaining within the limits allowed under the 501(h) expenditure test. In general, an organization may spend up to a specified percentage of "exempt purpose expenditures" (i.e., its annual operating budget, minus certain fundraising, income production and capital costs) on all lobbying activities, including both "direct" and "grassroots" lobbying, according to the following sliding scale:

20% of the first $500,000 of exempt purpose expenditures
plus 15% of the next $500,000
plus 10% of the next $500,000
plus 5% of any amount over $1,500,000.

(There is a maximum cap of $1,000,000 on overall lobbying expenditures, which is reached once an organization's exempt purpose expenditures exceed $17,000,000.)

In addition to the overall lobbying ceiling, the organization must also observe an additional limit on its "grassroots" lobbying expenditures, which is set at 25 percent of the overall lobbying limit.

Under the expenditure test, **direct lobbying** is defined as any attempt to influence legislation through communications with any member or employee of a legislative body, or any other government official who may participate in the formulation of legislation, that (1) refers to specific legislation, and (2) reflects a view on that legislation.

Grassroots lobbying is any attempt to influence legislation through affecting opinions of the public, but *only if it*: (1) refers to specific legislation, (2) reflects a view on that legislation, and (3) encourages the recipient to take action with respect to the legislation. Under the third prong of this test, a communication is not grassroots lobbying unless it includes a "call to action" by: (1) urging recipients

to contact a legislator or other governmental employee, (2) giving the name address, etc., of a legislator or legislative staff member, (3) providing a petition, post card or similar material to be sent to a legislator, or (4) identifying specific legislators as opposing the organization's views on the legislation or being undecided with respect to it, being the recipient's representative in the legislature or being a member of a committee that will consider the legislation.

The expenditure test also contains several exceptions to the definition of lobbying. The following activities will not be considered lobbying by 501(h) elective organizations:

- making available the results of nonpartisan analysis, study or research, which is defined as an independent and objective exposition of a particular subject matter that provides sufficient facts to allow the audience to form an independent conclusion. Importantly, *neutrality* is not required; the organization may express a point of view on the legislation, provided that an adequate factual foundation is presented to support its position;
- providing technical advice to a governmental body or committee in response to a written request by the body or committee;
- "self-defense" lobbying, defined as **direct** communications with the Legislature or other governmental body with respect to issues that may affect the organization's legal existence, its powers and duties, its tax exempt status or its ability to receive tax deductible contributions;
- discussions of broad social, economic and similar problems that do not pertain to specific legislative proposals;
- communications between an organization and its bona fide members with respect to legislation of direct mutual interest, unless the communication directly encourages the members to engage in grassroots or direct lobbying; and
- communications with members of the executive branch of government, unless the principal purpose is to influence legislation (as opposed to influencing administrative decisions by the executive agency).

Making the election is a simple process, requiring only an authorized signature on a single form (IRS form 5768), and can be made any time up to the end of the organization's tax year. The election can also be revoked at any time by filing the same simple form, but the revocation will not be effective until the following tax year.

Organizations contemplating the election should obtain the assistance of a legal or tax professional familiar with the IRS rules to help develop and implement a system for tracking, allocating and reporting lobbying expenditures.

THE "SUBSTANTIAL PART" TEST FOR NON-ELECTING ORGANIZATIONS

An organization that does not make the 501(h) election will lose its tax exempt status under section 501(c)(3) if a "substantial part" of its activities consists of "attempting to influence legislation." Unfortunately, the IRS does not provide a precise definition of what constitutes "substantial" lobbying under this test, but rather, it applies a subjective balancing test, weighing the organization's legislative activities in relation to its overall purposes and activities.

While a few early cases ruled that if less than five percent of the organization's time and effort was spent on lobbying, it would not be deemed substantial, later courts have rejected this quantitative approach and instead look at several contextual factors, including: the importance the organization places on lobbying; the level of organizational authority directed at the activity; the frequency, visibility and controversial nature of the advocacy; and the percentage of the organization's budget and employee or volunteer time that is spent on lobbying.

The IRS rules are equally vague in specifying exactly what activities will be considered to be lobbying by non-electing organizations. Generally, any attempts to influence legislation by contacting legislators or other government employees or members of the public may be considered to be lobbying. The exceptions and definitions described above for electing organizations are not specifically applicable to non-electing organizations, although the IRS may apply them in a given case. Thus, organizations that desire more certainty in characterizing, measuring and reporting their legislative activities should seriously consider making the 501(h) election. (See below.)

SHOULD WE MAKE THE SECTION 501(h) ELECTION?

Most 501(c)(3) organizations that engage in more than a minimal amount of lobbying activity will probably find it to their advantage to make the 501(h) election. Consider the following points:

- The expenditure test generally allows an organization to spend more of its budget on lobbying. While there are no clear cut spending limits under the substantial part test, expenditures of up to 20 percent, as allowed under section 501(h), would almost certainly be deemed to be "substantial" and excessive lobbying by a non-electing agency. (On the other hand, organizations that do relatively large amounts of grassroots lobbying may be able to do more under the substantial part test.)

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- Whereas the substantial test examines all legislative *activities*, the expenditure test counts only actual lobbying *expenditures*. Volunteer time and assistance are not factored into the expenditure test as they are under the substantial part test, so that an organization that relies heavily on volunteer labor or free printing, mailing or travel should seriously consider making the election.
- The substantial part test applicable to non-electing organizations is rather vague, both in terms of the amount of lobbying that will be deemed to be "substantial" and the definitions and exceptions that will be applied in characterizing lobbying activities. The relative clarity and objectivity of the 501(h) elective rules will be attractive to activist organizations.

- The reporting requirements for non-electing organizations are even more extensive than those applicable to electing organizations. Whereas electing organizations must report total expenditures for both grassroots and direct lobbying, non-electing organizations are required to provide a detailed description of *any* activity undertaken to influence legislation, as well as costs attributable to each of those activities.
- The penalties for noncompliance are more severe for non-electing organizations. Whereas non-electing organizations will lose their tax exempt status for engaging in substantial lobbying in any single year, the penalty imposed on electing organizations for single year violations is a 25 percent excise tax on the excess lobbying expenditure. An electing organization will generally lose it exemption only after four years of repeatedly and substantially exceeding the lobbying limits.
- The IRS encourages the 501(h) option, and has repeatedly stated that making the election does not make an organization a more likely target for an audit.

CAN OUR ORGANIZATION GET INVOLVED IN A CAMPAIGN TO ELECT CANDIDATES WHO SUPPORT OUR CHILD CARE ISSUES?

501(c)(3) organizations are absolutely forbidden to intervene in political campaigns. In general, a 501(c)(3) agency may lose its exemption if it engages in any activity in support of or opposition to a candidate for a federal, state or local office. This includes making

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any statements, endorsements or contributions on behalf of a candidate, or providing any other in-kind support or publicity opportunities.

It is important to distinguish, however, between political activities which are prohibited, and voter education and participation activities, which a tax-exempt organization may conduct within certain guidelines. 501(c)(3) agencies may undertake "voter education," such as compiling the voting records of incumbents or positions of candidates, if this is done in a neutral manner, covering a broad range of issues, and including all incumbents or candidates for the office. Organizations may also hold "issue forums" at which candidates are invited to share their positions, again, as long as neutrality is maintained, and all candidates are given an equal opportunity to participate.

501(c)(3) organizations may even conduct voter registration campaigns, but the drive must not be designed or structured to assist any particular candidate or party, and the material must be provided to all interested persons without regard to their political affiliations or preferences. The registration drive may discuss or highlight issues important to the organization, but the materials or staff should not discuss how any candidate or party stands on the issues.

As the rules governing electoral activities by 501(c)(3)'s are complex, and the penalties for noncompliance severe (i.e., loss of tax exempt status and/or excise tax penalties), organizations should seek legal counsel before undertaking any such activity. (See the NACCRRA publication discussed above for referrals to legal resources.)

Of course, as a private citizen, you may participate in the full range of political campaign activities on your own time, as long as none of the agency's resources or facilities are used.

CAN WE ADVOCATE FOR OR AGAINST BALLOT INITIATIVES?

As ballot measures, propositions and initiatives become an increasingly popular form of lawmaking at the state and local levels, nonprofit organizations often face the question of whether they can permissibly take a position or even actively campaign for or against such initiatives. Although, as discussed above, 501(c)(3)'s may not intervene in political campaigns *on behalf of candidates*, they are allowed to campaign on ballot measures within certain limits, because they do not involve electing a candidate for public office.

In general, ballot measure campaign activity is treated as lobbying (the voters in this case acting as the "legislators" who will pass or defeat the proposed law.) Thus, the ballot measure activity, along

with other lobbying activity by the organization, must not be "substantial" as described on page 20 for organizations that have not made the section 501(h) election, and must come within the limits of the expenditure test for electing organizations (see page 19).

For electing organizations, ballot measure activity is generally classified as a **direct** lobbying expenditure, and all paid staff time devoted to preparing or distributing communications for or against the measure should be counted as a lobbying expense.

WE RECEIVE FEDERAL FUNDING TO ADMINISTER SEVERAL CHILD CARE PROGRAMS. CAN WE USE THOSE FUNDS TO ADVOCATE IN CONGRESS FOR THE PRESERVATION OR IMPROVEMENT OF THOSE PROGRAMS?

In general, federal monies may not be used to finance attempts to influence state or federal legislation. Some exceptions may apply if, for example, a Congressional committee specifically requests your organization's technical advice or assistance on a matter related to the performance of the federal grant. (See the NACCRRA publication referred to on page 18 for a more thorough discussion of these federal funding rules.)

Nonprofits that are classified as 501(c)(4) social welfare organizations may engage in unlimited lobbying; however, contributions to such groups are not deductible for federal income tax purposes.

[2] Note that this section deals only with **federal** tax issues for nonprofit agencies. Be aware that your **state** nonprofit incorporation laws or tax laws may also limit or prohibit certain activities as well, so be certain to check into these when considering whether to undertake any legislative or political activity.

[3] The election is available to most 501(c)(3) organizations except private foundations, churches or other affiliates.

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GETTING OTHERS INVOLVED IN YOUR ADVOCACY CAMPAIGN

GENERAL IDEAS:

- The key to organizing others is finding a path to involvement. Find an issue that is of personal concern to those whom you are trying to reach. For welfare-related issues, go to welfare offices, WIC offices, housing offices, shelters, or try door-to-door canvassing in low-income neighborhoods. For education-related issues, attend school group meetings and contact PTA members.
- Get parents involved. Parents can be the best advocates and spokespersons for their own needs. Encouraging parent involvement as a community activity can also increase your numbers and build collaborations with other parents or family support groups. Good places to approach parents about child care issues also include child care, preschool and afterschool programs, R&R offices, and job training sites.
- Any organizing is extremely time intensive and will require discussions with people who may, at least initially, be resistant. It is very important to be organized in your persuasion, and succinct, to keep their attention.
- Advocacy can be a means of basic empowerment. Particularly for low-income women, who often suffer from a lack of confidence, participating in an advocacy campaign is a great opportunity to become visible and a leader. They can talk to the press, legislators and others about their own lives and about important issues that concern others. According to JEDI Women in Utah, participating in JEDI has changed many women forever; they have learned citizenship skills and have learned about public policy making. They have also met some great friends and role models!
- A campaign does not need huge numbers, just key people who are willing to work hard and others who can support the campaign in any way possible. For instance, JEDI Women in Utah has 200 active members and more than 1200 inactive members who are kept informed about their activities.

"Love thy neighbor; thou wilt need him for a coalition."

WHITTENBERG, *HOW TO WIN IN WASHINGTON* (CAMBRIDGE, MA 1989)

SPECIFIC TIPS:

- Establish a postcard campaign, letting others know about your efforts and inviting them to join you.
- When canvassing, always carry a survey with you to find out what issues really concern people. The survey is also a great conversation tool, and can open up discussions about the issues that concern your organization and the individual you are canvassing. For instance, when a small group of advocates in Washington State spoke to low-income people about services they needed from the Legislature, they received an unexpected response—dental care.
- Join Handsnet, or find out if one of the organizations you work with has or will join. As an on-line information service for public interest organizations, Handsnet can provide you with the most current legislative updates, alerts, and information about other advocacy efforts and connect you with other groups working on similar issues. (Call (408) 257-4500 for information.)
- Contact national organizations that work on welfare-related issues and let them know about your activities. Many have mailing lists that you can join to keep abreast of their work as well. Some useful organizations to contact include:

☛ Center for Law and Social Policy
1616 "P" Street NW, Suite 150
Washington, DC 20036
Tel (202) 328-5140

☛ Coalition on Human Needs
1000 Wisconsin Avenue NW
Washington, DC 20007
Tel (202) 342-0726

☛ Center on Budget and Policy Priorities
777 North Capitol Street NE, Suite 705
Washington, DC 20002
Tel (202) 408-1080

CRITICAL GRASSROOTS LINK TO EFFECTIVE ADVOCACY

A recent poll found that legislative staff pay a great deal more attention to individual constituents than to interest groups. Concise, one-page, personal letters from constituents were the most effective means of attracting congressional staffers' attention.

Ranking the most effective types of communication, spontaneous mail ranked highest with 59 percent of staffers paying a great deal or quite a bit of attention. Faxes and videos were found to be relatively ineffective.

FUNDING AN ADVOCACY CAMPAIGN

- Always appear confident that your proposal can find a solution to the problem—don't simply give the saddest story.
- Bringing together groups and individuals that share a common interest in child care can help fund your campaign in two ways. First, you can create a wide range of community organizations,

individuals, business leaders and coalitions to whom you can appeal for funding. Second, organizing a coalition to jointly seek funding can help convey the broad support for your cause—there is strength in numbers!

- Contrary to common belief, private foundations can fund advocacy efforts, and such funds may be used even to pay for actual lobbying activities, as long as no part of the grant is "earmarked" for lobbying. Under the IRS regulations, funds will be considered "earmarked" for lobbying if there is any agreement with the foundation that the funds will be used for that purpose, or if the total grant amount exceeds the nonlobbying portion of the project budget. Grant documents should be carefully reviewed to determine whether the funder has restricted lobbying or legislative activity by the grantee.
- Many foundations may be more amenable to funding "research" or "analysis" projects than outright advocacy campaigns. The family economics study and the very effective waiting list survey described on pages 4 and 7 are good examples of the type of objective research that foundations traditionally support, from which data can be used very convincingly in subsequent advocacy efforts.

MEDIA KEY POINTS

- Keep attention focussed on your issue at all times, even when the crisis seems to be over. This way, you can develop and maintain current contacts with the media.
- Get as much media attention as possible, by staging events, sending press releases, and submitting op-ed pieces.
- Maintain a consistent public information and awareness building campaign. This will enable you to become a familiar resource for the media, elected officials, and other allies.
- Personalize your issue, rather than simply listing the services that would be lost with legislative changes. Relate stories about how cuts in funding or changes in programs will affect children and families. Link the money or the program to a specific person, such as a well-known child care provider, to illustrate how that person, and the services she provides, will be affected by legislative changes or funding cuts.
- Hold a press conference and invite local advocates, politicians and families who would be affected by cuts in important programs. This way reporters can get a broad sense of the impacts of legislative changes.

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INTERVIEW WITH CONGRESSWOMAN NANCY PELOSI

With so much discussion about how to educate and influence legislators, we thought it would be interesting and helpful to speak to a legislator about how policymakers perceive child care and how to most effectively advocate your position both to supporters and to those who may be resistant to your arguments. In August 1995, we spoke with Congresswoman Nancy Pelosi from San Francisco, who is a longtime supporter of family policies and who voted against the Personal Responsibility Act (HR 4).

Q: WHY ARE YOU IN FAVOR OF GOVERNMENT POLICIES SUPPORTING CHILD CARE?

As the roles of women and family life change in our society, child care represents an important bridge that has not been built to the future. In the last generation, women have become more involved in the workplace and have increased their educational attainment. Because of women's role as natural caregivers, quality and affordable child care becomes fundamental to maintaining families. Child care allows women to make contributions to their families and to society without doing so at the expense of their children.

Q: HOW DO YOU SEE OUR GOVERNMENT MEETING THE CHILD CARE NEEDS OF AMERICA'S FAMILIES?

I am very concerned about the pace of the government in meeting the needs of children and their working parents. We have only achieved successes because of the knowledge and drive of advocates. I am most dismayed because of the recent devastating setbacks—in program cuts, in the appropriations bill, and in the House bill that would curtail advocacy by federally funded organizations. This is a concerted effort to restrict the ways that advocates can speak for those of limited means. It is a blow to the most effective type of advocacy.

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Q: IN LIGHT OF, OR DESPITE, THE POSSIBILITY OF RESTRICTIONS ON ADVOCACY ACTIVITIES, WHAT DO YOU SEE AS THE BEST WAY TO APPROACH LEGISLATORS?

There are four components to any effective advocacy—a goal, knowledge, a plan of action, and leadership. The **goal** is a "big picture" vision that is shared by you and your colleagues. **Knowledge** about your issues is crucial to persuading legislators that you know what the solution is because you know what the problems are. A **plan of action** includes finding a common ground with the policymaker with whom you are making contact so that the person will listen to your position and take a personal interest in it. Talking to legislative staff can be helpful, too, especially in the beginning of your campaign. **Leadership** of your campaign of persuasion is important to spreading a consistent message to educate legislators and the public alike.

Q: HOW DO LEGISLATORS PERCEIVE CHILD CARE IN THE WELFARE DEBATE?

Child care is recognized as an important piece of welfare reform and has therefore become a very crucial factor for those who are really interested in helping families move from welfare to work. It is clear that welfare is not working even for current recipients and that child care is necessary to strengthen families and help them earn a living wage. The problem is that child care is not just a welfare issue. Families who are poor but do not receive welfare need child care assistance to maintain their independence.

We talk about the importance of building bridges, highways and other infrastructure, but the same issues apply here because building the infrastructure of families can help communities as well. Because of all these reasons, there is a lot of kinship and support for child care. Whether individuals are concerned about child development or maintaining a workforce, most understand the importance of child care.

"Child care is a middle income issue as well as a low income issue. Child care assistance can be critical to poor families' independence, but for middle class families, it is just as important to have a well-trained, appropriately paid child care workforce to care for all children."

CALIFORNIA CONGRESSWOMAN NANCY PELOSI

Q: WHILE FUNDING CUTS ARE RAMPANT, HOW CAN WE AVOID PITTING CHILD CARE AGAINST OTHER IMPORTANT FAMILY SUPPORTS?

It is important to view child care as a goal and to see where it fits in as a part of the larger goal of welfare reform. We call the current funding cuts "lamb eat lamb"—in which all issues are important and if we take funds away from one program to give to another equally important one, we are still harming innocent children. The fallacy of the Republican proposals is that you can't balance the budget unless

you make an investment in children now. Today's children are tomorrow's workforce and tomorrow's taxpayers. We need to value overall personal enrichment to make ourselves as a society more competitive.

"I cannot emphasize enough that nothing is more eloquent than the voice of legislators' own constituents. Legislators focus on their constituents, so it is crucial to build coalitions involving parents, child care providers, and other service providers over a broad geographic area."

CALIFORNIA CONGRESSWOMAN NANCY PELOSI

Q: DO YOU FEEL THAT CURRENT ADVOCACY EFFORTS ARE WORKING?

I feel very strongly that child care should not be a part of partisan politics, but there is no question that the last election was a major setback. However, child care is important to every home in America--it can't be ignored and it won't go away.

Child care advocacy has been excellent so far and has made possible all of our successes. In this crisis, however, advocates need to continue to broaden the base of support among the public, and to teach them what role they can play. Child care is not just a welfare issue, nor a low-income issue. It needs to be positioned like Social Security and Medicare—as an issue that affects **all** families. While we need specific funding to assist low-income families, an investment in training, standards for child care referrals, and competitive wages can benefit every family in America. Children are our most important resource and unless we take responsibility for every child, no child will reach full potential.

While legislators can advocate from the inside, outside mobilization is essential to any successful effort. If advocates weren't doing what they are doing, we would not have made the progress we've made today.

CONCLUSION

While advocating for child care may seem like a difficult, complex, or risky endeavor, the large and diverse number of people concerned about the current political situation will likely make your job easier and more rewarding. In the words of a seasoned advocate:

> *Remember that as a general rule, anything involving major change, significant costs, or controversy, will be relatively more time-consuming and difficult to achieve. Similarly, it is generally the case that anything involving only modest (or incremental) change, little or no cost, and a minimum of controversy, will be relatively easier to achieve.*

NANCY AMIDEI, IN *SO YOU WANT TO MAKE A DIFFERENCE* (OMB WATCH, WASHINGTON, DC, 1991.)

Because the stakes are so high, it is extremely important not to get discouraged—patience and persistence will pay off, as we have already seen when advocates were able to save the federal child care food program from block granting in the Senate in 1995. If committed individuals and organizations can speak loudly and with a united voice, it will help to ensure that the needs of the most vulnerable members of our society are not ignored.

Working For Change

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CHILD CARE LAW CENTER

The Child Care Law Center is a nonprofit legal services organization dedicated to improving and expanding child care services to low-income families and the providers who serve them.

Since 1978, the Child Care Law Center has provided legal support to the child care community by providing legal services to child care programs, by serving as a legal services support center, and through training and public education. As a nonprofit legal services organization, we use legal tools and resources to foster the development and maintenance of high quality child care services throughout the country. The center works to support and implement public policy initiatives at all levels of government which assist families in meeting their child care needs and child care programs in delivering high quality services.

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For more information or technical assistance, contact Kathleen O'Brien or Elissa Gershon at:

Child Care Law Center
22 Second Street, 5th Floor
San Francisco, CA 94105
tel (415) 495-5498
fax (415) 495-6734

ELAINE JOE DESIGN

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